







# Guide for Implementing Prekindergarten Education

in Accordance
with
Vermont's
Act 62

February 2009



#### Introduction

The Guide for Implementing Prekindergarten Education in Accordance with Act 62 was developed to provide clarity and offer guidance to school districts and community early care and education providers as they work to meet the early education needs of young children and their families. This guide discusses key components and implications of Act 62, and the Prekindergarten Education rules the State Board adopted, and Act 132 which amends Act 62.

The specific features of the guide are as follows:

Explanations of sections of Act 62 and Act 132;

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- Discussion of the requirements specified in the prekindergarten rules;
- Answers to commonly asked questions (indicated by the symbol \*);
- Suggestions and recommendations for complying with the rules (these are indicted by the symbol cs); and
- An appendix which includes various forms and sample documents.

The guide is organized so that information can be easily accessed. The first part of the guide is devoted to Act 62 and Act 132. A very general overview of the 2007 law is provided with more attention given to explaining the implications for programs of Act 132, an amendment to Act 62. The second part focuses on the rules. The sections that explain the rules are identified by the number and title of the rule addressed. The appendix is the third part of the guide.

We recognize that early learning experiences leave lasting impressions in terms of children's intellectual and social-emotional development, and that it is in our state's best interest to ensure that these first impressions are positive. Toward this end, we offer this guide and the support of our respective departments to assist school districts and their partners with the implementation of Act 62 and the prekindergarten education rules.

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#### An Overview of Act 62 and Act 132

Act 62, A Law Related to Prekindergarten Education, was signed into law by Gov. Douglas and came into effect on July 1, 2007. Act 62 codified what had been a long-standing practice some school districts used of including three- and four-year-olds in their average daily membership (ADM) in order to provide publicly funded prekindergarten education.

# Key provisions of Act 62<sup>1</sup> are:

- (1) a reaffirmation that prekindergarten education remains *voluntary*. School districts are *not required* to provide prekindergarten education, and children are *not required* to attend.
- (2) the establishment of a cap for the number of children a school district can count (section 6),
- (3) the promotion of partnerships between school districts and qualified private programs (section 1),
- (4) the requirement of a community discussion and needs assessment prior to a district establishing prekindergarten education or expanding current prekindergarten programs (section 3), and
- (5) flexibility for families to request enrolling their children in qualified prekindergarten programs inside and outside of the school district in which they live (section 3).

In the spring of 2008, the Legislature passed H.884, a technical corrections bill that amended Act 62 in the area of program quality standards, the effective dates of some requirements, and the options districts have for determining their cap. This bill is now known as Act 132<sup>2</sup>. These changes are as follows:

#### **Program Quality Standards**

Act 62 requires that a prekindergarten program demonstrate that it meets quality standards either by being accredited by the National Association for the Education of Young Children (NAEYC), or by having at least 3 STARS in Vermont's Step Ahead Recognition System (STARS). This requirement was to take effect on July 1, 2008.

Act 132 gave school districts and private early care and education providers which offered prekindergarten education on or prior to October 1, 2008, a "presumptive 3 STARS" rating until July 1, 2009. This amendment gave these programs an additional year to complete the STARS application process and meet the required standard, or to obtain NAEYC accreditation. In addition, the Department for Children and Families (DCF) and Department for Education (DOE) were charged with jointly developing regulations for STARS that apply to prekindergarten programs offered by both public schools and private providers by April, 2009.

<sup>&</sup>lt;sup>1</sup> The full text of Act 62 can be found on the Department of Education (DOE) and Department for Children and Families (DCF) Web sites.

<sup>&</sup>lt;sup>2</sup> The full text of Act 132 can be found on the DOE and DCF Web sites.

<sup>&</sup>lt;sup>3</sup> See Sec. 3 (10)(A)

#### **Effective Dates**

Act 62 required the DOE and DCF to jointly develop and approve rules for publicly funded prekindergarten education; these rules came into effect on July 1, 2008. Act 132 delayed the effective dates of two Act 62 provisions: (1) the requirement for annual child development assessments<sup>4</sup> to measure progress, and (2) the terms of contract payments<sup>5</sup>. These two provisions come into effect on July 1, 2009. All other Act 62 provisions came into effect on July 1, 2008 as originally stipulated.

#### **Options for Limits on Prekindergarten ADM (Cap)**

Although there are no limits on the number of children who may be enrolled in prekindergarten education, Act 62 places limits on the number of prekindergarten children a district may report in its annual school census and include in its "average daily membership" (ADM). Act 62 provided several options districts may choose from in order to establish their caps; Act 132 clarified some of these options. The resulting list of options is as follows:

- 1. ten children;
- 2. one plus the average annual increase or decrease in the district's first grade ADM as counted over the last five years times the most recent first grade ADM;
- 3. the total number of children who are enrolled in prekindergarten and who are eligible to enter kindergarten in the following academic year;
- 4. one-fifth of the total number of children in grades 1-5 who were included in last year's ADM; or
- 5. the highest number of prekindergarten children a school district counted in 2004-2005, 2005-2006, or in 2006-2007.

These options were all available starting with the 2008-2009 school census report. The DOE will inform school districts of what their numbers are under each of the options so that each district can select whichever option appears best suited to its needs.

It should be noted that children receiving Essential Early Education (EEE) services are <u>in</u> <u>addition to</u> the number of children allowed in the district's prekindergarten ADM cap. The cap only pertains to children who are three to five years of age and who are <u>not</u> receiving special education services.

#### \*\* How is the cap for prekindergarten determined?

The prekindergarten cap is roughly half of all three- and four-year-olds in a town or, if a town opts for universal prekindergarten, all the children who will attend kindergarten in the following year. Children receiving EEE are in addition to the cap. A district may provide prekindergarten education to children beyond its cap; however, the district is not allowed to include the extra children in its census and therefore, the children would not be included in the district's ADM.

The cap is determined at the town or city level. The cap represents prekindergarten FTE's rather than a head count of how many children are enrolled. A prekindergarten FTE is defined as ten hours per week. For example, if a prekindergarten program enrolls three-year-olds just six hours a week and four-year-olds ten hours a week, then the three-year-olds are only 0.6 FTE whereas the four-year-olds are 1.0 FTE. Therefore, if this hypothetical town's cap is 20 prekindergarten

<sup>&</sup>lt;sup>4</sup> See Prekindergarten Rules, 2609 on page 9

<sup>&</sup>lt;sup>5</sup> See Prekindergarten Rules, 2604 (1)(b)

FTE, then the program could enroll 10 three-year-olds and 14 four-year-olds, or a total of 24 children, and still be within its 20 FTE cap.

#### \* What is ADM and how does it impact a town's tax rate?

Every fall the Department of Education conducts a school census of all children enrolled in preK-Grade 12. Children are identified by the grade they attend and their town of residence. In the case of young children, districts identify children as being enrolled in either "PreK" or in "EEE" and indicate the number of hours the children attend. Full-time PreK is considered to be 10 hours per week. If a child is enrolled fewer than 10 hours per week but at least 6 hours, then the FTE is prorated. For example, a child attending just 8 hours per week is 0.8 FTE.

The census, which is due in early November, is used to determine a town's average daily membership (ADM). The ADM is then converted into "equalized pupil total" which is a weighted count of the number of children enrolled. Full-time PreK is weighted at 0.46. In comparison, children in grades K-6 are weighted at 1.0.

A district's approved school budget is divided by its equalized pupil total to find the average per student spending. This number is then compared to the state base rate in order to determine the tax rate for the town(s) the district serves. This is a very simplistic explanation of what is a very complicated calculation; hopefully, it is sufficient to show the connection between ADM and a town's tax rate. Individuals seeking more information should contact their district's business manager or the DOE.

## © Does prekindergarten typically lower a town's tax rate?

Most school districts have reported that establishing prekindergarten education has lowered their towns' tax rates. However, it may not lower it in the first year a prekindergarten program is offered, in fact, it may temporarily raise it. This is due to the fact that ADM is averaged over the previous two years. The increased ADM with children from the new or expanded prekindergarten enrollment will not show up until year two. Meanwhile, the costs for the new or expanded prekindergarten program will be reflected in the current school budget.

#### **Prekindergarten Rules**

One of the provisions of Act 62 required the DOE and the DCF to jointly develop rules to regulate the implementation of prekindergarten education in Vermont. These rules were developed with input from a Stakeholder Group in the fall of 2007. The public was invited to comment on the draft rules from January 21 through February 29, 2008. The final version of the rules was adopted by the State Board of Education on May 20, 2008. These rules went into effect on July 1, 2008 as required by Act 62. As previously stated, Act 132 delayed the effective dates of the provisions related to the annual child assessments and contract payment until July 1, 2009.

#### Rule 2603 Establishing or Expanding Prekindergarten Education

Act 62 requires that any school district considering the establishment or expansion of an early childhood program undertake a community needs assessment. It is obvious what "establish" prekindergarten education means. If a district wants to begin offering prekindergarten education and counting those children as part of its ADM, the district *must first* conduct a community needs assessment. "Expansion" is less obvious. According to the rules, "expansion" is defined as

"when a school district seeks to increase the number of children included in its ADM count and such an increase would require additional contracts, personnel, and/or classrooms" 2602(10)

Consequently, a district that wants to expand its prekindergarten program *must first* conduct a community needs assessment.

A community needs assessment is *not* required when a parent or provider requests that the school district enter into a contract beyond the district's currently established partnerships. Since the district did not initiate the contract, any additional contracts in this situation would not constitute an expansion and would not trigger a community needs assessment. The district is merely complying with sections 2604 (2), (3), and (4) on the rules.

If a district wants to increase the number of typically developing children in its EEE program for the sole purpose of maintaining a "least restrictive environment," is a community needs assessment necessary?

If the district plans to count the typically developing children in its school census PreK count, and the proposed increase in the number of these children would require the district to write additional contracts with partners, hire personnel<sup>6</sup>, and/or set up new classrooms, then a community needs assessment must be conducted. If the increase is not of sufficient magnitude to meet these thresholds, then a community assessment is not required.

The district may find through a community needs assessment that the goal of "least restrictive environment" can be met through various methods, such as an itinerant service delivery model where EEE services are provided to a child in his or her community-based prekindergarten program.

<sup>&</sup>lt;sup>6</sup> Note that hiring a paraprofessional in order to support a specific child or children with special needs does not trigger the requirement of a community needs assessment.

#### Who should be involved in the community needs assessment process?

There are various ways a community or school board may gather information about the need for and feasibility of establishing prekindergarten education, or of expanding the district's current prekindergarten education offerings. Regardless of the methods used, it is necessary to solicit the *authentic involvement* of parents, private early care and education providers, representatives from the Building Bright Futures regional council, and other community members in the needs assessment process.

Although it is the district's responsibility to conduct the community needs assessment, it is recommended that the district work in collaboration with parents and members of the local early childhood community and Building Bright Futures regional council to implement the community needs assessment.

#### What should a needs assessment include?

The format of a community needs assessment can be determined by those who implement it; there is no one required format. However, all community needs assessments should be able to answer the following questions:

- How many three- to five-year-olds reside in the town or city?
- Where are these children now?
- What do the parents of these young children say they want and need for their children?
- What early childhood programs and providers currently exist in the community?
  - o Are these programs "qualified?" Do they meet the program quality standards (rule 2606) and staff qualifications (rule 2607) at this time, or have the potential to do so?
  - o If they are qualified or have the potential to become qualified, how many have the capacity and the willingness to enter into a partnership with the school district to offer prekindergarten education?
  - O Do these programs have the capacity to serve young children with special needs? Under what conditions?
- How will the establishment or expansion of prekindergarten effect existing early childhood programs in the community?
- Is there community support for offering prekindergarten education?
- What will be the implications of the decision to begin or expand prekindergarten education on the school district's budget and property tax rate?

The answers to these questions could be found by holding community forums on prekindergarten education, conducting an inventory of existing early childhood providers, engaging in outreach to programs such as Head Start, surveying families with young children, and reviewing population trends and/or school enrollments.

Regional Building Bright Futures Councils, Resource and Referral Agencies (R&R), and Head Start are excellent sources of information when conducting a needs assessment. With such information in hand, school and community leaders are better

able to respond to community needs and build upon existing resources within the community.

A suggested form for reporting the findings of a community needs assessment is provided in Appendix B. School districts and their partners may use or adapt the form if they find it helpful.

## **Results from the Community Needs Assessment**

Decisions on whether to establish or expand prekindergarten should be based on concrete information rather than assumptions. The results of the community needs assessment process should be used to develop a proposal for prekindergarten education that identifies the population of children to be served and the model that will be used. Whenever possible, the model should include community-based qualified providers who have the capacity and willingness to partner with the district to offer prekindergarten education. If there are not a sufficient number of qualified community providers to meet the need, then the district may consider creating a district operated prekindergarten program.

The standard of "efficient and effective" should be used to evaluate which providers to partner with and which model to use. "Efficient and effective" refers to the degree to which a prekindergarten program "meets the needs of children and families, produces measured and evidenced outcomes for children in accordance with the Vermont Early Learning Standards, minimizes transitions for children, and does not exceed what it would cost the school district to operate a comparable program."

The data collected through the community needs assessment also may be useful when the school updates its school action plan related to early education. In addition, these data will be helpful to Building Bright Futures Councils when they update their regional plans.

How do you compare the costs of prekindergarten programs operated by the school directly or through contracting with a qualified private provider?

The Template for Calculating Actual Cost of Prekindergarten Education (refer to

Appendix A) should be completed by both the school district and the private providers. The "per child costs" can then be compared across programs. In order to make the comparison equitable, the following guidelines for completing the template should be used:

- 1. Include in the costs of the district operated prekindergarten program a pro-rated share of all costs, including allocations for space and administration (both school specific and supervisory union, if applicable).
- 2. Include in the template of a program operated by a private provider the costs of personnel and services the school provides directly to the private providers to support their compliance with the prekindergarten education requirements.

#### Notify Families in the District of the Availability of Prekindergarten Education

Rules require all districts which offer prekindergarten education to publicize that publicly funded prekindergarten education is available to resident children. If a supervisory union is

<sup>&</sup>lt;sup>7</sup> Refer to Prekindergarten Rules, 2602 (4), page 1

administering prekindergarten education for several towns, then families in all of the towns within the supervisory union's jurisdiction that have approved prekindergarten education must be notified. The notification should clearly inform parents of the nature of the programs that are available to their children. The notification also should inform parents of their option to request that the district partner with a provider who is qualified but does not currently have a contract with the district.<sup>8</sup>

- A district might place an ad in the local paper notifying families that it offers prekindergarten education and/or distribute a flyer at preschool screenings, at its partner programs, at other community early childhood programs, or through siblings in the K-6 school.
- It is recommended that the notification be sent in early March with specific beginning and end dates of when families should express their interest to enroll their child. The end date for applying should be early enough to allow the families, providers, and the district to know who will be enrolled for the coming academic year; but long enough to allow families adequate time to consider applying.
- An example of a notice is included in Appendix C. It may be adapted to suit a district's specific needs.
- If the providers a district has contracts with are listed in the Child Care Resource Directory, would this meet the requirement to notify families?

No, being listed in the Child Care Resources Directory is not adequate since it does not inform families residing in towns that offer publicly funded prekindergarten that they can apply for their children to participate in these publicly funded prekindergarten programs.

#### **Enrolling Children in Publicly Funded Prekindergarten Programs**

Every child residing in a town that has opted to offer publicly funded prekindergarten must have an equal opportunity to attend a program. If the number of applications for children seeking to enroll in the district's prekindergarten program does not exceed the district's cap or capacity, then all of the children should be enrolled.

There may be instances when the demand for publicly funded prekindergarten education exceeds a district's capacity, either due to limitations of space, finances, and/or because of its imposed cap. When this occurs, a nondiscriminatory or "blind" method must be used to select children since all children must have an equal opportunity to be selected. Districts and/or partners may not prioritize specific children or use admission criteria.

The only exceptions to this rule are:

- four-year-olds who were included in the previous year's school census as three-year-olds and who continue to reside in the district, and
- children specifically targeted by any federal and/or state grants the district and/or its partners receive in order to augment the funding available for prekindergarten education. Only the children needed to fulfill these grant obligations may be exempted from the nondiscriminatory selection process.

Again, it is important to note that there are no prohibitions or restrictions for school districts wanting to enroll more children than their cap permits; however, these children can not be

<sup>&</sup>lt;sup>8</sup> Refer to Prekindergarten Rules, 2604 (2), page 5

included in the districts' ADM count. Remember that all children receiving EEE services are not included in the nondiscriminatory selection rule; they have a state and federal right to services.

#### © Recommended Enrollment Procedures

- 1. The school district publicly announces that prekindergarten enrollment for the following school year will be taking place. An application procedure and form are developed and a deadline for consideration established.
- 2. All applications that were submitted prior to the deadline are considered for selection. Applications may not be ranked on a first-come/first-served basis.
- 3. Applications from all of the children, except those described above, are included in the pool of children to be eligible for enrollment.
- 4. A random, non-discriminatory selection process is utilized to select children up to the cap or capacity.
- 5. All applications are selected with additional children placed on a waiting list based upon the order of their selection.
- 6. After the selection process, parents are informed in writing of their child's status regarding prekindergarten enrollment.
- 7. In the event a parent desires that the child participate in a qualified program other than the options the school currently has, the parent will make a written request to the district shortly after being notified.
- 8. School districts must respond to requests from parents for their children's placement in a qualified program within 30 days of receiving the request.
- If a district offers various options for prekindergarten, can families identify which is their first, second, or third choice?

Yes, families may identify which is their preferred option. However, if the district receives more requests for publicly funded prekindergarten education than it has capacity to accommodate, then a nondiscriminatory selection process must be used to select who to enroll. In such a situation, the families' choices cannot be used in determining whether their children are selected or not.

If a district has always selected children with strong verbal and play skills to include in its EEE programs, can these children be prioritized?

No, if the district plans to include these typically developing peers as part of its publicly funded prekindergarten program (i.e., it counts these children in its school census as "PreK"), then the children cannot be prioritized.

If a child received prekindergarten program as a three-year-old and moved to another town that also offers publicly funded prekindergarten education, does that child have a guaranteed slot, or does the family need to apply for prekindergarten in the new town?

Since the child moved into a new town and district, there is no requirement for the new district to enroll the child. The child is not guaranteed a slot; the family would need to apply to the new district just like any other family.

If a district has a contract with a partner child care center, can the children in the center who turn three years of age and are residents, be automatically enrolled as part of the district's publicly funded prekindergarten?

No. The child's family still needs to apply for the child to be enrolled in the district's prekindergarten program using the process described above.

\* Is a private provider's nondiscriminatory admission policy sufficient to meet the requirement that districts use a "nondiscriminatory selection" process?

No, it isn't sufficient. All resident children should have an equal opportunity to be selected for publicly funded prekindergarten education, not just those who are already enrolled in programs with which a district has a contract.

What happens if a child is selected through the district's nondiscriminatory process and wants to attend a community-based program, but that program doesn't have an opening?

The district cannot compel the community-based program to enroll the child. It should offer the family other available options. The family may decide not to accept any of these options and decline prekindergarten education. In such cases, the district may offer prekindergarten education to the child who is first on its waiting list.

\* Are districts which do not contract with private providers and only have a district operated program still required to notify families and use a nondiscrimination selection process?

Yes. Whether a district contracts with private providers, directly provides prekindergarten education, or uses both models, it must advertise the availability of publicly funded prekindergarten education. If more children are interested in participating than the number of slots available, a nondiscriminatory selection method must be used.

# Rule 2604 Partnering with Qualified Providers

A school district may partner with any qualified early care and education provider within the district or beyond the district's boundaries. The district may establish partnerships through its own initiative, or through a request from a parent or from a qualified provider. The district needs to codify the relationship by entering into a *written contract* with the providers. The contract should specify both parties' responsibilities and the payment provisions.

Section 2604(1)(a) of the rules stipulates the minimum responsibilities all qualified private providers must meet in order to provide prekindergarten education on behalf of the district. Of particular note are the responsibilities<sup>9</sup> for conducting annual assessments of children's development using a DOE approved tool, permitting unannounced onsite visits from DOE or DCF representatives, and completing all required reports. These minimum responsibilities need to be included in all contracts. (Refer to the sample contract in Appendix D.)

It is up to the district and the private provider to decide if the contract will be renewed annually or if it will be a multi-year contract. Given the new Act 62 provisions and rules, it is advisable for both parties to consider writing annual contracts at least for the near future.

<sup>&</sup>lt;sup>9</sup> A description of these responsibilities is presented in subsequent sections of this guide.

The May a parent or a private provider request the district negotiate a partnership contract?

Yes. Sections (2), (3) and (4) of rule 2604 provide the right for a parent or guardian, or a qualified provider in or outside of the district to request that a district which offers publicly funded prekindergarten education enter into a new partnership. Families who have been notified by the district that their child is eligible to enroll in a prekindergarten program may request in writing that the district enter into a contract with a qualified private provider in or outside of the district.

There are many reasons why families would make such requests. A request could be prompted by a parent's desire to keep the child in a setting where he or she already has a relationship or one that is closer to the parent's place of employment. Qualified private providers in and outside of the district also may submit a written request to enter into a contract with a district which provides prekindergarten education. If the request is denied, the provider may re-apply for the next academic year.

The district must consider all such requests and inform the parent or private provider in writing of its decision and rationale within 30 days of receiving the request. In making its decision, the district would want to first verify that the requested provider does in fact meet all of the program and staff requirements to be considered "qualified." The district might then consider whether the request meets the standard of "effective and efficient." Additionally, if the child receives EEE services, the district should consider the degree to which the private provider and district can implement the child's IEP and provide the opportunities necessary for the child to meet his or her IEP goals and objectives.

#### \* May a district partner with a religious preschool program?

The answer to that question depends upon the nature of the preschool program. If the program is secular but is located in a church, then the answer is "yes." However, if the program is "pervasively religious," then it is unconstitutional for any public dollars to be used to support the program. The determination of whether a preschool is "pervasively religious" is done on a fact-based and case-by-case basis. Questions regarding this issue should be directed to the DOE.

#### \* How much should a private partner receive for providing prekindergarten education?

Section 2604(b) describes how payment provisions should be calculated using the "actual costs for providing prekindergarten education." The template and instructions that the rules refer to are included in this document as Appendix A, "Template for Calculating Actual Cost of Prekindergarten Education."

Several templates have been developed to assist school districts and providers in determining prekindergarten costs and reasonable compensation and/or exchange of services. The template the DOE and DCF have agreed to use is modified from a tool that has been used for several years. It was selected because it is detailed but still relatively straightforward to complete. As stated in the rules, the template should be used as the basis for negotiating payment provisions; but the template does not limit nor require districts to pay that exact amount.

The template assumes that the private provider meets all of the program and staff requirements on its own; however, in some partnerships, the district provides a licensed teacher, space, professional development, supplies, and/or other services. When districts are negotiating with their partners, these services and materials should be reflected in calculating payments.

May private providers that receive charge parents for prekindergarten education?

Many of the qualified providers districts partner with operate full-day, year round programs. For the purpose of Act 62 and the rules, the only part of these programs' schedule that is considered "prekindergarten education" is a maximum of 10 hours per week, for at least 35 weeks during the academic year. Obviously, providers will continue charging families tuition to cover the hours that are not part of the prekindergarten program. Providers *should not charge families* tuition for the 10-hour prekindergarten program they provide to children included in the district's ADM count since the district is paying for the prekindergarten portion of that child's day with public funds. However, if the district pays providers less than the actual cost of the prekindergarten program, then providers *may charge families the difference* between the actual cost of the prekindergarten program (as calculated in the template) and the amount they receive from the district for that child.

For example, private provider X, the director of a qualified community child care program, completes the template and calculates that her "per child cost" for the prekindergarten program is \$3,200. District Y and provider X agree that the district will pay \$2,800 per child included in the district's ADM count. Provider X can then charge the child's family \$400 per year for the prekindergarten program. Since this child attends the child care program full-time, the family will still be charged tuition for the rest of the child's day.

If a district and the private providers it contracts with have always used a formula based on the state base rate or the town's K-12 per child costs, and all parties are happy with that approach, do the providers need to use the actual cost template?

No. If all parties wish to continue using a different approach to determining the amount the district will pay for each child, then the template is not required unless the private provider plans on charging parents for the prekindergarten education program for which the district is already paying. In that case, the provider would need to complete the template to determine what it can charge parents.

Do private providers that have contracts with school districts receive the funding directly from the state, or does it need to go to the district?

The funds go directly to the district. The district then pays the private providers according to the terms of the contract.

\* How may the private providers use the public prekindergarten education funds they receive?

The funds should be used as budgeted in the template. Included in the allowable expenditures are pro-rated salaries and benefits, professional development costs, substitutes, program supplies, a portion of program accreditation, and the costs of the required prekindergarten assessment.

If a child in a program the district contracted with is counted in the school census but moves or leaves the program mid-year, does the money follow the child?

If the child moves to a different district, then the district's obligation to provide prekindergarten education to the child is terminated. If the child leaves the program in which he or she was counted but continues to live in the district, then the obligation continues and the remaining funding to support the child can go to the new program if it is qualified.

#### **2605** District Operated Prekindergarten Programs

School districts also may operate their own prekindergarten programs either in a school building or in a facility that's not part of the school. Regardless of location, all prekindergarten programs must be licensed by DCF as an early childhood program.

Prekindergarten education programs that are operated by a school district must meet the same program quality standards and staff requirements as private providers. The school operated programs also have comparable responsibilities<sup>10</sup> such as conducting annual child development assessments, completing required financial reports, and operating a minimum of 35 weeks per academic year.

# 2606 Qualified Prekindergarten Education Programs

All prekindergarten education programs operated either by a private provider or by a school district must demonstrate that they can provide *quality* prekindergarten education. <sup>11</sup> The sections below provide some explanation of the key program quality standards and, in some cases, recommendations or suggestions for complying with them.

# Program Quality: NAEYC Accreditation or STARS<sup>12</sup>

A prekindergarten program must either be accredited by the National Association for the Education of Young Children (NAEYC), have obtained four STARS with at least two points in each of the five STARS arenas, or have a minimum of three STARS with a plan approved by the DOE and DCF commissioners for obtaining four STARS within three years.

As stated earlier,<sup>13</sup> the legislature passed amendments to Act 62 which gave school operated prekindergarten programs and private providers who contract with districts a "presumptive three STARS" for the 2008-2009 academic year. Thereafter, districts will only be able to include children in their school census (or ADM) who attend prekindergarten programs that are NAEYC accredited or which have earned a minimum of three STARS with an approved plan for obtaining four STARS.

Is there an advantage to seeking NAEYC accreditation rather than STARS?

The answer to that question depends on what a program eventually wants. There are similarities and difference between NAEYC accreditation and STARS.

NAEYC is a nationwide system for recognizing program quality whereas STARS is a Vermont designed system for program recognition. Both NAEYC accreditation and STARS are based on standards that relate to what is important to identifying quality, such as a responsive curriculum, the nature of teacher-child interactions, an engaging physical environment, and knowledgeable personnel. Both systems require a self-study, documentation, an onsite visit (only required for the higher number of points in STARS), and self reflection. In fact, the similarities are such that NAEYC accreditation has been determined as being equivalent to four or five STARS.

<sup>&</sup>lt;sup>10</sup> Refer to the rules, section 2605 (2) (a) through (j).

<sup>&</sup>lt;sup>11</sup> Refer to the rules, section 2606 (1) (a) through (e)

<sup>&</sup>lt;sup>12</sup> STARS is Vermont's Step Ahead Recognition System of program quality for early childhood and after school licensed and registered programs.

<sup>&</sup>lt;sup>13</sup> See pages 4-5 of this guide

NAEYC accreditation differs from STARS in that the application process is more in-depth and more expensive. NAEYC accreditation has a long history of implementation. The latest version of the NAEYC standards was widely piloted before they were adopted. NAEYC accreditation is for five years; however, an annual report and fee are required.

STARS is a relatively new system that is still evolving. It is seen as a system for motivating early childhood and after school programs to improve as well as to verify that programs meet the quality standards. The philosophy underpinning STARS is to invite all programs to participate in STARS; hence, STARS is a graduated system of one to five STARS. Even if a program is only at the initial step of one STAR, it is still considered to be on the road to quality and can be recognized for taking incremental steps towards that goal. STARS includes financial incentives to reward programs as they earn an increasingly higher number of STARS. These incentives apply to all licensed programs, including district operated prekindergarten programs.

\* May districts implement a policy stating that it will only contract with private providers that are NAEYC accredited?

No. A district's policy may not exceed the definition of "qualified provider" that is in the Act 62 law.

#### **Alignment with Vermont Early Learning Standards (VELS)**

Act 62 and its accompanying rules require prekindergarten programs to demonstrate that their curricula are aligned with the Vermont Early Learning Standards (VELS).<sup>14</sup> These standards are critical for assisting teachers in designing environments and appropriate learning activities that meet the developmental needs of children. VELS are aligned with Vermont's Framework of Standards and Learning Opportunities which lay the foundation for Vermont kindergarten through Grade 12 education.

The VELS can be used with various approaches to curriculum since these standards are the endpoints rather than any prescribed pathway for reaching the endpoints. It is possible to address VELS when using any child-centered curriculum model.

- To help early educators incorporate VELS in their curriculum planning, several forms are available and can be found in the Vermont Early Learning Standards Instructors Guide (2005). These forms may be used "as is" or modified in ways that work for individual programs.
- C3 There is no single correct method to develop a standards-referenced curriculum. Each teacher or teaching team may have a particular way to align their curriculum with VELS. Here are a few suggestions that can help educators start this process:
  - Develop a working knowledge of VELS
  - Understand the relationship between VELS and curriculum development
  - Begin to apply a process for aligning VELS to your curriculum
  - Understand the individual learning styles of the children
  - Create and implement appropriate learning opportunities for your children based on your goals and the VELS

<sup>&</sup>lt;sup>14</sup> Go to <a href="http://education.vermont.gov/new/html/pgm">http://education.vermont.gov/new/html/pgm</a> earlyed/pubs.html to download a copy of VELS. There's also a Parent's Guide to the VELS so that teachers and parents can work together.

<sup>&</sup>lt;sup>15</sup> Go to <a href="http://education.vermont.gov/new/html/pgm\_earlyed/pubs.html">http://education.vermont.gov/new/html/pgm\_earlyed/pubs.html</a> to download a copy of the VELS Instructors Guide.

- Design an assessment plan that is linked to the curriculum goals and VELS, and identify various methods used to document children's progress
- Engage in a self-assessment of your skills and progress

#### **2607 Staff Qualifications**

In order for prekindergarten programs to be considered "qualified," their staff must include licensed educators who hold an endorsement in either early childhood education (ECE) or early childhood special education (ECSE). However, this requirement varies depending upon the type of provider offering the prekindergarten education.

District operated prekindergarten programs are already required by the DOE educator licensing regulations to employ licensed educators who are endorsed in ECE or ECSE to teach its prekindergarten classrooms. If a district cannot find an appropriately licensed and endorsed teacher, then a superintendent may request a provisional license or provisional ECE or ECSE endorsement for that educator.

In the case of private providers, the licensed teacher requirement is modified for licensed centers and registered home providers. Licensed centers must employ at least one teacher who is licensed and endorsed in ECE or ECSE during the 6-10 hours that are considered to be the "kindergarten program." In contrast to the requirement that district operated prekindergarten programs have one ECE or ECSE licensed teacher for each class, licensed centers only need to have a licensed educator at the center; in addition the rules do not require that the educator actually be the classroom teacher.

Although not required, it is *recommended* that licensed centers seek to have at least one licensed ECE or ECSE teacher in each of its prekindergarten classrooms.

Act 62 requires that registered home providers either hold an ECE or ECSE license, or that they receive "hands-on active training and supervision" from a licensed teacher for a minimum of three hours per week during the academic year. The registered home provider needs to maintain written documentation of the supervision.

\* Is a prekindergarten program considered "qualified" if the teacher only has a provisional or emergency license?

Yes, a provisional or emergency license meets the "licensed educator" requirements. When a private provider or teacher from a district operated program is not licensed in ECE or ECSE, it is possible for the superintendent to request a provisional or emergency license for that individual. These licenses are temporary and issued with several conditions. What they provide is time for the individual to complete the work needed to obtain the Level I ECE or ECSE license or add the ECE or ECSE endorsement to their current license. It is important to note that the superintendent is under no obligation to request a provisional or emergency license on behalf of a private provider. Even if a superintendent does request a provisional license or endorsement, the district is under no obligation to contract with that provider.

What happens if a licensed center's only ECE or ECSE licensed teacher leaves mid-year? Does the contract the center have with the school district automatically become void?

No, the contract does not automatically become void. The licensed center is able to continue offering prekindergarten education with a substitute for a period of time. If the substitute is

licensed as a Vermont educator, but does not hold the ECE or ECSE endorsement, then the educator can substitute for 30 calendar days, plus an additional 30 calendar days if the superintendent applies to the DOE Licensing Office for an extension. If the substitute is not a licensed educator, then she or he may only substitute 30 consecutive calendar days. Thereafter, the superintendent needs to request a provisional or emergency license for the educator to remain in the position and for the center to continue to be deemed "qualified."

\* What does the training and supervision of a registered home provider by an ECE or ECSE licensed educator need to include?

The rules do not provide a detailed description of what the required training and supervision should include. They only stipulate that it be "hands-on active training and supervision" and that the supervision occur weekly for a minimum of three hours. It is reasonable to assume that the training and supervision would occur primarily when the prekindergarten program is in session. It is *recommended* that the licensed ECE or ECSE supervisor serve as a mentor to the home provider. The primary goal of a mentor is to support the provider to grow professionally: to use research-based practices, align curriculum with VELS, do authentic assessments, and use the information from these assessments to plan learning opportunities that build on children's interests and address the strengths and needs of individual children.

What personnel standards does a <u>licensed</u> home provider need to meet?

A licensed home provider needs to meet the same standards as a registered home provider.

Is it possible for a school district require that all lead teachers in a private child care center, preschool, or Head Start program be licensed in ECE or ECSE as a prerequisite for agreeing to contract with the program?

No. A district's policy may not exceed the definition of "qualified provider" that is in the Act 62 law.

# **2608** Reporting the Costs of Prekindergarten Education

There are several provisions contained within Act 62<sup>16</sup> and the prekindergarten rules which address financial accountability and reporting at the local and state level. These mandates have implications for school districts providing prekindergarten education and the contracted private providers with which they have contracts.

At the local level, private providers must report all prekindergarten costs allowed under their contracts to the school district on an annual basis. The school district will then compile the financial reports from their contracted providers to report to the DOE. If the district operates a prekindergarten program, these costs must be reported to the DOE as well.

On or before August 1, the district must submit a detailed report of its prekindergarten education and EEE costs for the past fiscal year by source of funds to the DOE. The DOE will then compile the district reports and use the data in its reports to the legislature and the public.

<sup>&</sup>lt;sup>16</sup> See Act 62 Sec. 3 (6) through (8) plus Sec. 10 (3) and (4)

#### **2609** Reporting the Effects of Prekindergarten Education

The legislature wants to know if and to what degree Vermont's publicly funded prekindergarten programs are effective. In order to answer this question, there are specific provisions within Act 62 requiring programs to "conduct child development assessments of each...child (included in a district's ADM), using one or more instruments approved by the department of education and department for children and families, at least two times per year, and report the results to the school district by June 30."<sup>17</sup>

In order to fulfill this requirement, an ad hoc committee was formed to assist DOE and DCF in designing a state-wide system of child assessment and reporting. Members of the committee represented state agencies, private programs, higher education, state associations and organizations, and parents. The ad hoc committee first identified the purposes of early childhood assessment:

- 1. To promote and support children's development and learning
  - a. Has value and usefulness to programs
  - b. Influences curriculum design and programmatic decisions
  - c. Enhances teaching practices
- 2. To support positive, productive partnerships among parents and programs
- 3. To monitor trends in child development and learning
- 4. To identify areas for increased professional development of early educators
- 5. To evaluate the impact of prekindergarten education on children's development

The ad hoc committee also established criteria for evaluating assessment tools that could satisfy the purposes stated above.

After examining numerous nationally recognized and locally designed tools, and hearing from individuals familiar with or currently using these assessment tools, the ad hoc committee unanimously agreed to recommend adoption of two assessments, *The Work Sampling System (WSS)* and *Creative Curriculum Developmental Continuum Assessment (CCDCA)*. The ad hoc committee selected these measures because they are performance-based authentic assessment tools that rely on teachers' observations of children engaged in a typical learning environment rather than on responses to isolated, on-demand tasks. Both WSS and CCDCA are designed as curriculum-embedded, criterion-referenced measures. In addition, each is supported by excellent, easy to understand training and reference materials.

\* Are districts and their partners limited to using either the WSS or the CCDCA?

Yes, all children who are included in a district's ADM must be assessed at the beginning and at the end of each academic year using either the WSS or CCDCA. The district should consult with its partners to determine which tool is preferred, and seek to decide on which to select through consensus. It is also possible (but not recommended) for a district to allow some partners to use WSS and others to use CCDCA if it is found that providers are already engaged in using these assessments.

What data will need to be reported to DOE and DCF?

Both the WSS and the CCDCA are designed to be used throughout the academic year with evaluations of observations occurring three times per year and recorded on checklists. The only data the DOE and DCF will be collecting are evaluations of the children at the beginning and the

<sup>&</sup>lt;sup>17</sup> See Act 62 Sec. 10 (7)

end of each academic year, that is the Fall and Spring checkpoints. Progress data are required for every child who is included in the district's school census. A copy of the child progress reporting forms for CCDCA and WSS can be found in Appendix E.

Portfolios that include artifacts and other documentation of what children can do are another component of both WSS and CCDCA. Portfolios can be very valuable in understanding a child's development, but portfolios are *not* a required part of the state report. Some prekindergarten programs may find establishing an assessment system that includes collecting observational notes (required) as well as portfolios (optional) may appear overwhelming. Hence, some programs may opt to focus initially on the developmental checklists and gradually incorporate the portfolio.

\* Is specialized training on using these tools required?

Yes. The WSS and the CCDCA rely upon accurate and factual observations to identify and assess children's levels of development. It is necessary for those who conduct and analyze these observations to be knowledgeable about the instrument's items, criteria and use. It is important for teachers, assistant teachers, and specialized personnel (e.g., speech & language pathologist, occupational therapist) to participate in formal trainings before implementing these assessments. The DOE has established a system for providing free training sessions on WSS and CCDCA to private providers and school personnel.

- If your staff needs training on CCDCA or WSS, or just wants to know how to use the web-based version of either tool, contact the Early Education Team at the DOE to schedule an on-site training.
- When do we need to begin using these child development assessments?

As discussed earlier, <sup>18</sup> Act 132 amended Act 62 and delayed the effective date of the child development assessment. Districts and their partners will need to begin using either WSS and/or CCDCA in the 2009-2010 academic year. In the meantime, teachers and providers who are not trained in the assessment measure should participate in trainings that will be offered during the 2008-2009 academic year and summer 2009.

\* Is it necessary to use CCDCA or WSS with children receiving EEE services?

Children who are receiving four or more hours of EEE services per week or who attend a EEE program more than four hours per week, must be assessed using either the WSS or CCDCA starting 2009-2010. These children should be included in the annual Child Progress Report.

In addition, the WSS or CCDCA results will be used as the basis for reporting Early Childhood Outcomes (ECO) required by the Individuals with Disabilities Education Act 2003 (IDEA).

\* Should prekindergarten programs subscribe to the web-based versions of WSS or CCDCA?

It is up to districts and programs to decide whether to subscribe to the web-based versions of WSS or CCDCA. There are some benefits to using the web-based versions (e.g., generating reports for family conferences, submitting the data to the state, analyzing your data, and arriving at ECO ratings). However, the web-based versions are more expensive than using the paper forms. Also, teachers would need to have access to a computer and feel relatively comfortable

<sup>&</sup>lt;sup>18</sup> See page 5 of this guide

using technology as pre-conditions for the successful implementation of the web-based versions of these tools. Training on how to use the web-based tools is available.

# **Rule 2610 Appeals Process**

Families and early care and education providers have the right to appeal certain decisions a school district may make. These decisions include:

- A district's determination as to whether or not a provider is "qualified." As stated previously, a qualified program meets the requirements stipulated in section 2606 of the rules, and the personnel standards under section 2607.
- A district's decision to establish a prekindergarten program or expand its current program if
  it appears that the district did not engage the community as required in section 2603.
- A district's decision to consider a request from a parent to contract with a qualified provider within or outside of the district if the district did not follow the procedures set forth in 2604(2).
- A district's decision of whether to enter into a contract with a qualified private provider who lives within or outside of the district if the district did not follow the procedures outlined in 2604 sections (3) and (4).
- What are the steps for appealing a school district's decision?

A parent or private provider may appeal a district's decision on the grounds described above by taking the following steps:

- 1. Submit a written appeal to the commissioner of the Department of Education (DOE) or the commissioner of the Department for Children and Families (DCF) within 30 calendar days of the alleged violation. The appeal should clearly describe the facts which led the parent or provider to appeal, and an explanation of why the parent or provider believes the district violated a statute or rule. The parent or private provider must provide a copy of the appeal to the district.
- 2. The school district will respond to the appeal in writing within 30 calendar days of receiving the appeal and send copies of the response to the DOE or DCF commissioner.
- 3. The DCF and DOE commissioners or their counsels will jointly consider the appeal and the district's response. They also may request additional written information either from the parent, provider, or district. The commissioners hold a meeting to discuss the appeal and response either because one of the parties has requested a hearing or because the commissioners decide a hearing is needed.
- 4. The commissioners will jointly issue a decision within 30 calendar days of having received all of the necessary documents or after a hearing, if one is held. The burden of proof is on the parent or provider who is appealing. The commissioners' decision will be final.

# Appendix A

# Template for Calculating Actual Costs of Prekindergarten Education

The Template for Calculating Actual Costs is for private child care and preschool providers to use in order to calculate their real costs for providing part-time publicly funded prekindergarten education (preK). The "per child cost" that is calculated serves as the basis for the provider's contract negotiations with the school district, and is to be used to determine the amount providers are allowed to charge parents for the prekindergarten program (i.e., providers may only charge parents for the prekindergarten program the difference between their actual costs and what the districts pays for the child). The template may also be used to compare the costs of a district operated preK program and a comparable program provided by a private early care and education provider.

# TEMPLATE FOR CALCULATING ACTUAL COSTS OF PREKINDERGARTEN EDUCATION

#### **INSTRUCTIONS**

#### **COLUMNS**

FY Actual (total). Fill in the current fiscal year. Report your <i>actual</i> expenditures for all rows for the current fiscal year. If actual expenditures are not yet available, please estimate your expenses and indicate that these are only estimates.
FYBudgeted. Report your total <i>budgeted</i> expenditures for all activities during the coming fiscal year.
FY Budget Allocated To. Allocate the figures reported in "FY Budgeted" into two columns:

"PreK" refers only to the services provided to children between the ages of 3-5 for 10 hours per week, during the academic year (the academic year is 35-40 weeks).

- For example, if you operate a full-time, full year early care and education program for children from 18 months to 8 years, you will need to calculate the portion of your costs which applies only to the 3-5 year olds. Then, you'll need to pro-rate that amount since **preK** is only **part-time** (10 hrs/week, 35-40 weeks per year).
- If you have costs that are specific only to preK, then these costs should not be prorated such as costs of the required preK assessments, substitutes for preK staff to attend professional development activities, etc.
- "Other" refers to the remaining part of your program (i.e., the costs of services for children under 3 and over 5 years old, as well as the remaining costs for the services for the 3-5 year olds beyond the **part-time**, 10 hours/week, 35-40 weeks/year prekindergarten program.

The sum of the PreK and Other columns must equal the amount reported in the FY\_\_\_\_\_Budgeted column.

#### **ROWS**

Count of Children Participating in Programs. Fill in the number of children served across all columns using the definitions of the columns provided above. In the first column, you need to provide the total number of children served in your entire program. In the second column, write in the total number of children you are budgeting for in the coming year.

Under PreK, write only the number of children you anticipate serving in your part-time prekindergarten program. Under the "Other" column, write the number of children you anticipate serving in all of your remaining programs. The numbers under "PreK" and "Other" should total the number of children you entered under "Budgeted."

#### **Expenditures**

Expenditures are reported by function. Functions describe the activities for which services or materials are acquired.

The *Direct Instruction* function includes activities dealing directly with the interaction between teachers and children. Activities also may be provided by assistant teachers or aides. The subcategories or "objects" under Direct Instruction include the following:

<u>Salaries</u>. Amounts paid to both permanent and temporary employees including substitues for permanent employees.

<u>Benefits</u>. Amounts paid on behalf of employees (ex. medical insurance, FICA). These amounts are not included in gross salary but are in addition to that amount.

<u>Purchased Professional and Technical Services</u>. Costs for services that by their nature can be performed only by persons with specialized skills and knowledge. Essentially, if you are paying FICA for a person, the person is an employee and should not be included here.

<u>Supplies</u>. Amounts paid for items that are used up or worn out. Supplies are consumed generally within a year, and replaced rather than repaired.

<u>Equipment</u>. Furniture and fixtures, technology related hardware and software, etc. Equipment is intended to last longer than a year and, generally, would be repaired rather than replaced.

<u>Miscellaneous Direct Instruction Expenditures</u>. Report direct instruction expenditures that do not fit in the above objects here.

**Support Services** provide administrative, technical, and logistical support to facilitate and enhance the direct instruction activities.

<u>Student Support Services</u> are activities designed to assess and improve the well-being of children and to supplement the teaching process. These services include attendance services, social work, guidance services, health and psychological services, speech and language pathology, and audiology services. Only include costs that you are responsible for paying.

<u>Instructional Support Services</u> are activities associated with assisting the instructional staff with the content and process of providing learning experiences for children. These activities include curriculum development and staff training, library media services, instruction related technology, and child assessments.

<u>Administrative Support Services</u> include costs for general administration, fiscal and business services, purchasing, printing and duplicating, planning, and personnel services.

<u>Operations and Maintenance of Buildings and Grounds</u> are activities related to operating the physical space or building in which the program is located. This is where you include rent, heating, electricity, water, cleaning, and trash removal. You would also include costs for keeping

the grounds, buildings, and equipment in effective working condition and state of repair. If you rent your space, the amount of rent paid should be included here.

<u>Food Service</u> are activities concerned with providing food to children and staff.

<u>Insurance</u> (other than employee benefits) includes expenditures for all types of insurance coverage, including property, liability and fidelity.

<u>Taxes</u> include property taxes and other taxes paid by the provider. Do not include taxes withheld from employee salaries or FICA, which is reported under Benefits in Direct Instruction.

Other Support Services includes expenditures for support services not reported above.

#### Facility Costs

Facilities Acquisition & Construction includes activities concerned with acquiring land and buildings; remodeling buildings; constructing buildings and additions to buildings; initially installing or extending service systems and other built-in equipment; and improving cites. Report only those expenditures paid with current year revenues. Expenditures paid by long-term debt (borrowing for longer than a year) should not be reported here. Report the interest and principal on the loan or bond as it is repaid. Otherwise, the expenditure will be double counted.

Debt Service--Interest and Principal on long-term debt (borrowed for longer than a year) are reported here (ex. a mortgage). Principal on short-term debt (less than a year) is not reported. Interest on short-term debt is included in Administrative Support Services.

*Total Expenditures.* Add up all rows for each column.

*Per Child Cost.* Divide the total expenditures reported in the PreK column by the number of children you anticipate serving in your PreK program. The answer is your "Per Child Cost".

#### In Kind Services Provided by a School District.

If the school provides any services, supplies, space to the program, or other type of support for the PreK program, then the fair market value of these commodities and services are to be reported in this section. You should <u>not</u> report these amounts in the Expenditures section.

<u>Personnel Services</u>. Report any personnel services provided by a school district to your program. An example would be the case where a school district provides a licensed teacher with the required endorsements as part of the arrangement with the provider.

<u>Commodities</u>, <u>Supplies</u>. The fair market value of any commodities, supplies or other goods received by a provider without charge from a school district is reported here.

Other. Report any other services the school district provides free of cost here. These could include professional development to your staff or the cost of subscribing to the web-based Creative Curriculum or Work Sampling assessments.

## TEMPLATE FOR CALCULATING ACTUAL COSTS OF PREKINDERGARTEN EDUCATION

					FY	Budget Allocated to:
	FY_	Actual (total)	FY	Budgeted	PreK	Other
FTE Count of Children Participating in Programs						
Expenditures						
Direct Instruction						
Salaries						
Benefits						
Purchased Professional & Technical Serv.						
Other Purchased Services						
Supplies						
Equipment						
Miscellaneous Direct Instruction Expenditures						
Support Services (Include expenditures for above of Student Support Services Instructional Support Services Administrative Support Services Operation & Maint. of Buildings & Grounds Food Service Insurance (Other than Employee Benefits) Taxes Other Support Services  Facility Costs	ategorie	es not reported in dir	ect instru	ction (salaries, ben	efits, etc.)	
Construction						
Debt Service (Interest & Principal)						
Total Expenditures						
Per-Child Cost			<u> </u>			
In Kind Services Provided by School District						
Personnel Services						
Commodities, Supplies						
Other						

# Appendix B

# **Community Needs Assessment Form**

School districts that seek to establish prekindergarten education (pre-K) or expand their existing pre-K programs are required to conduct a community needs assessment. The needs assessment is a process of research and community dialogue. The suggested steps of the process are described in this Guide on pages 8-9.

The form included here can serve as a way to record the process and the results of community needs assessment. It can be adapted to better suit the needs of the school district or supervisory union, and the communities involved.

# **Act 62 Prekindergarten Education Community Needs Assessment Report**

School District/Supervisory	Union		
Town(s) Included in this Neo	eds Assessment		
Date Needs Assessment Initi	ated	Date Comple	eted
SECTION I – PLANNING			
A. Planning Committee Meml	pers:		
Name	Position		Town of Residence
B. Plan for gathering necessar			
Activity <sup>19</sup>	)	Timeline	Responsibility of

<sup>&</sup>lt;sup>19</sup> Activities for gathering information could include: a community forum, a questionnaire for families with young children, a survey of registered and licensed private providers, researching existing data reports and school census, etc.

# **SECTION II – THE RESULTS**

A. Number of children by town, age, current program, and services:

Age*	Number of	Numb	Number of children by current early care & education placement**							
-	Children	Child care center	Licensed or Registered home	Head Start	School- based Pre-K	Private preschool	None: At home with family	Other		
2 year olds										
3 year olds										
4 year olds										
5 year olds										

<sup>\*</sup>Age according to town's kindergarten cut-off date.

<sup>\*\*</sup>Duplicate count since child may be enrolled in more than 1 program

Age	Number Number of children by current early care & education pla							
	of Children	Child care center	Licensed or Registered home	Head Start	School- based Pre-K	Private preschool	None: At home with family	Other
2 year olds								
3 year olds								
4 year olds								
5 year olds								

B. Inventory of Private Providers by Town, Qualifications, and Interest

Town	wn Program Capacity Name for 3-5 year olds		Act 62 Qualit (Indicate: Yes, i No)	Interest in Contract?		
		Accreditation or 3-4 STARS	ECE or ECSE License?	YES	NO	

<sup>&</sup>lt;sup>20</sup> Refer to sections 2606 and 2607 for more information on program qualifications and staff qualifications, respectively.

C.	Results of Community and Family Interests and Support for Prekindergarten
	<b>Education:</b>

Summarize the information gathered from public forums, surveys, and other methods to answer the questions: (1) Does the community support establishing or expanding preK? (2) Do families with young children feel they need and want publicly funded pre-K, (3) If there is support, what model(s) should be implemented (i.e., what should it look like)?

# **SECTION III – THE DECISION**

A. Will the community establish or expand publicly funded prekindergarten education? If "Yes", describe the proposed model.

B. If "Yes", discuss the potential impacts of the proposed model on community early care and education programs, the school district that will administer the model, and on towns' tax rates.

# Appendix C

# Notification of Availability of Publicly Funded Prekindergarten Education

School districts offering publicly funded prekindergarten education (preK) through contracts with private providers, partnerships with Head Start, and/or district operated programs are required to notify families with young children of the availability of preK. There should be a good faith effort to publicize the availability of preK in the town(s) that will include preK children in their school census (or ADM), and to allow sufficient time for families to indicate their interest in participating in preK.

The sample notification and application form provided here include the required information. These will be available electronically so that they can be easily adapted.

It is recommended that school districts or supervisory unions (if that is the entity that administers preK) publicize the availability of preK in early March and allow at least one month for families to apply. An early application process allows families and providers time to plan, especially if the number of applications exceeds the district's preK cap or capacity, and a nondiscriminatory selection process is required,

# The Sunshine School District supports Publicly Funded Prekindergarten for children between the ages of 3 and 5 who reside in the town of Sunshine

## Applications for the 2009-2010 school year are due March 30, 2009

#### What is publicly funded prekindergarten education?

Publicly funded prekindergarten education is defined as:

Six to ten hours per week of developmentally appropriate early development and learning experiences that are based on Vermont's Early Learning Standards.

Children who reside in Sunshine and are between the ages of three -five are eligible. Pre-kindergarten education is limited to the academic year (September 2009-June 2010).

#### Where are these publicly funded prekindergarten programs?

The Sunshine School District's publicly funded prekindergarten programs are located in community private early care and education programs that meet specific quality standards, and one classroom in the Pleasantville Elementary School. The community early care and education programs that Sunshine School District partners with are:

- Sunshine Children's Center, Inc.
- Montessori School
- Young Adventurers Preschool

#### Is this 6-10 hour/week prekindergarten program tuition free?

The prekindergarten program offered in the public school is tuition free. The prekindergarten program offered through a partner early care and education program may charge families the difference between the actual costs of providing the 6-10 hour prekindergarten program and what Sunshine School District pays. Families would continue to be charged fully for whatever care and education program the child needs beyond the 10 hours/week during the academic year.

#### Is my child eligible for publicly funded prekindergarten?

If your child is 3 years old by September 1, 2009 and resides in Sunshine, then your child is eligible to participate.

**Please Note:** If we receive more applications than we have funding to support, then we will need to use a random selection process to determine which children receive publicly funded prekindergarten education. We will inform you whether your child has a slot by **April 15, 2009.** 

#### How do I apply?

Complete the attached application form. Applications must be postmarked by March 30<sup>th</sup> in order to be considered.

# Sunshine School District Publicly Funded Pre-kindergarten Education Programs

## **APPLICATION**

Cł	ild's Name:Date of Birth
Pa	rent/Guardian's Name
Ασ	ldress:
Τe	lephone: (home)(work)(cell)
Er	nail:
Ple	ase answer the following questions by checking "yes" or "no" and by filling in the blanks:
1.	Does your child reside in the town of Sunshine? Yes No
2.	Does your child currently attend an early care and education program?YesNo
	If yes, please provide the name and address of the early care and education program:
3.	If your child is able to participate in one of our publicly funded prekindergarten programs, do you have a preference of where you'd like your child to attend? (Please refer to the list of programs in the previous page.)YesNo
	If yes, please provide the name of the prekindergarten education program you'd prefer.
	<del></del>

#### Thank You!

**NOTE:** If your child is selected to participate in publicly funded prekindergarten, but the program you want your child to attend is currently not partnering with the Sunshine School District, you may request that Sunshine SD contract with your preferred program IF the program meets the state's quality standards. The request must be made in writing to the school district. The school district needs to response to your request in writing no later than 30 days after receiving your request.

# Appendix D

#### **Model Contract**

The following model contract includes the minimum requirements for contracts between a school district or supervisory union and private early care and education providers. It may be adapted to better meet the needs of the provider and those of the school district or supervisory union.

In this model, there is a separate application programs would complete to provide contact information as well as verification of their "qualified" status. A sample application is included after the contract.

#### **Model Contractual Agreement**

The _	(School District or S	Supervisory Union)	_ agrees to enter i	nto a one-year co	ontract with
(Priva	ate Provider)	(hereafter referred to	as "partner progi	ram") to provide	publicly
funde	d prekindergarten edu	cation to children who	o are residents of	(town name)	_ per the
terms	and conditions below	<b>,</b> •			

#### The Partner Program agrees to:

- 1. Provide a developmentally appropriate curriculum aligned with the Vermont Early Learning Standards (VELS), for up to ten hours per week for at least 35 weeks during the school's academic year.
- 2. Maintain child care and education licensure, accreditation or STARS, and staff qualifications throughout the entire program year. Any changes, including violations of program licensure or registration, must be reported to the school district within 5 days of notification.
- 3. Adhere to federal and state laws on non-discrimination.
- 4. Assess the development of each child reported in the school census using the Creative Curriculum Developmental Continuum (*or Work Sampling System*) at the beginning and end of the academic year, and report the results to the school district by June 30.
- 5. Provide opportunities for parental participation in the program, offer families at least two opportunities per year to meet with the teacher, and discuss children's developmental progress with families at least twice per year.
- 6. Complete reports on enrollment, attendance, finances and other areas as required by the school district and/or the Department of Education (DOE) and Department for Children and Families (DCF) on a timely basis.
- 7. Permit announced and unannounced on-site visits by appropriate school district, DOE and DCF staff.
- 8. Participate in professional development which may be required for the purpose of fulfilling these contractual obligations.
- 9. Not charge families tuition for the publicly funded prekindergarten program paid for by the school district. However, families may be charged for the difference between the actual cost of the prekindergarten education (as per the template) and the amount paid for those services by the district.

#### The School District agrees to:

- 1. Identify a liaison to provide consultation to the Partner Program and maintain communication with the Partner Program throughout the duration of this contract.
- 2. Provide or arrange for the provision of professional development which may be required for the purpose of fulfilling these contractual obligations.
- 3. Inform Partner Program staff about relevant professional development opportunities sponsored by the school district, and invite their attendance at such. Fees for staff to attend these opportunities may be charged.

Schoo	ol District	Date							
Partn	ner Program	Date							
SIGN	NATURES:								
the for termin the en	er party for cause, stated in writing, may terminal oregoing, a material or substantial breach of termination. This contract shall abide by applicable lantire agreement of the parties hereto and shall be be accomplished in writing and approved by both	ns of this contract shall constitute cause for aws of the State of Vermont. It constitutes binding. Any changes to this contract can							
TERN	MINATION OF THIS CONTRACT								
	contract is in effect from August 27, 2009 throu dates of the academic year are).	gh June 18, 2010 (or whatever the start and							
TERN	MS:								
6.	. If this contract is to be terminated, jointly not	ify families of children affected in writing.							
5.	. Maintain an open and continuous dialogue reprekindergarten education.	garding the support and supervision of							
4.	. Upon request, provide information on the terr community, DCF and DOE upon request.	ns of this contract to families, the							
3.	changes in regulations, requirements, and other	er relevant issues.							
2.	. Adhere to all background checks as required	by DCF and DOE policies.							
1.	. Uphold confidentiality.								
Both 1	Parties agree to:								
6.	<ol> <li>Provide district level prekindergarten data as community.</li> </ol>	required by the DOE, DCF, and the							
5.	5. Provide the Partner Program with services and resources as stipulated below:  (specify exactly what these services or resources will be, such as an ECE licent co-teacher on Monday, Wednesday, Friday from 8:00-11:30), in lieu of full or partial monetary compensation.								
4.	. Compensate the Partner Program for providing rate of per child included in made on (specify dates for payments)	g prekindergarten education at an annual the town's school census. Payments will be							
	Vermont Department of Education - Vermont Department for O	Children and Families, Agency of Human Services							

# Publicly Funded Prekindergarten Education Partner Program

# APPLICATION

Program Name:	
Mailing Address:	
Location (if different from above):	
Director:	
Phone: Email Address:	
PROGRAM OPERATIONS	
<ol> <li>Please check the type of program: licensed center □ licensed family provider □ registered family provider □</li> </ol>	
2. When was this program established?	
3. What days and hours of the week does this program operate?	
4. Does it operate year round? Yes □ No □	
5. What age groups does your program serve?	
6. What is the program's total licensed capacity?For 3-5 year-olds?	
7. What is its usual total enrollment? For 3-5 year-olds?	
8. How many total staff members? For 3-5 year-olds ?	
PROGRAM LICENSING STATUS	
☐ Submit a copy of the program's Vermont Child Care Licensing Certificate stating its licensed or registered status	
☐ Attach a copy of the program's most recent licensing observation	
<ol> <li>Has this program had regulatory violations substantiated by Licensing in the past 12 months? Yes □ No □</li> </ol>	
2. Is this program the subject of an intent to revoke the license? Yes □ No □	
If you answered "yes" to either question above, please attach field forms and an explanation of the violation in your own words.	

# **QUALIFIED PROGRAM STATUS**

*	NA	AEYC Accreditation:	
	1.	. Is this program accredited by the National Children (NAEYC)? Yes □ No □	Association for the Education of Young
	2.	. If "yes," date of accreditation	expiration date
		Attach a copy of the certificate.	
*	ST	TARS:	
	1.	. Has this program been rated by Vermont S Yes ☐ No ☐	Step Ahead Recognition System (STARS)?
	2.	arena? Yes □ No □	of 4 or 5 STARS with at least 2 points in each
	3.	The state of the program has a rating of only 3 STAL STARS in three years? Yes ☐ No ☐	RS, doe sit have an approved plan to obtain 4
	4.	. If the program does not have a STARS rat submitted? Yes □ No □ Date applicat	
		Attach a copy of the STARS certificate. E	Expiration date
	At edi	TAFF QUALIFICATIONS:  Licensed Centers:  At least one teacher endorsed in early childho ducation (ECSE) must be present during the prekindergarten education" program.	od education (ECE) or early childhood special hours that have been identified as the
		Teacher's Name:	Title:
		Endorsement:	Level:
		Licensed SinceExpiration/R	enewal Date:
		Are there additional ECE or ECSE license	ed teachers? Yes  No
		If "yes," how many of these teach prescho	oolers?
		Attach a copy of the teacher's current educ	cator license.
	>	Registered or Licensed Family Providers	s: Choose One of the Following:
	edi	At least one teacher endorsed in early childho ducation (ECSE) must be present during the prekindergarten education" program.	od education (ECE) or early childhood special hours that have been identified as the
		Teacher's Name:	Title:

Vermont Department of Education – Vermont Department for Children and Families, Agency of Human Services

Endorsement:	Level:
Licensed Since	Expiration/Renewal Date:
☐ Attach a copy of the	e teacher's current educator license.
	OR sed provider receives regular supervision and training for a minimum a from a licensed Vermont educator with an endorsement in ECE or
	ucator's information follows.
Educator's Name:	Title:
Endorsement:	Level:
Licensed Since	Expiration/Renewal Date:
☐ Attach a copy of the supervision per week	e license of the educator who will provide at least three hours of ek.
Name and contact informat	tion of the person submitting this application:
Name:	Position:
Phone:	Email Address:

# Appendix E

#### **Child Performance Assessment Report**

Child Performance Assessments Reports for all children who are included in a district's school census must be submitted annually to the state. The deadline is July 15<sup>th</sup>. It is the responsibility of the school district or supervisory union to compile the data from all of the programs it partners with and/or administers.

The DOE and DCF will send a CD with the report forms to the school district or supervisory union every fall. The report will be on an Excel spreadsheet. A portion of the entire report forms is shown in E1 for those using the Creative Curriculum Developmental Continuum Assessment (CCDCA), and in E2 for those using the Work Sampling System (WSS).

If programs use the web-based version of CCDCA or WSS, the data can be reported directly from the website to the DOE and DCF.

#### Child Performance Assessment Report: Creative Curriculum Development Continuum

**Instructions**: Enter the name of the school district or supervisory union submitting the report. Then enter the name and location of each program providing prekindergarten education. Enter a code for each child attending that program, the child's date of birth, and name of the town the child resides in. Enter the dates the child began and ended, check  $\sqrt{}$  if the child receives EEE services. Enter the results of your evaluation of the child's development for the Fall (F) & Spring (S); use I, II, III; or for the forerunners, F1,F2,F3. Check  $\sqrt{}$  if the child made progress.

School L	District/S	Superviso	ry Union	:																	-								
Program	Name o	and locat	ion:																									-	
Developi	ment Ar	rea:													Pe	rson	al &	Soc	cial I	Deve	elopi	ment	t						
Objective	es:						1			2			3			4			5			6			7			8	
Child Code	DOB	Town	Began	Ended	EEE ?	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	P
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#### Child Performance Assessment Report: Work Sampling System

Instructions: Enter the name of the school district or supervisory union submitting the report. Enter the name and location of each program providing prekindergarten education. Enter a code for each child attending that program, the child's date of birth, and name of the town the child resides in. Enter the dates the child began and ended. If the child is on an IEP, √ the EEE column. Enter the results of your evaluation of the child's development for Fall (F) & Spring (S). Use N=Not Yet, I=In Process, P=Proficient. If the child made progress, √ the P column. Please note the P3 and P4 grids are separated.

School District/Supervisory Union: _	
Program Name and location:	
р 3	

Domain: Personal and Social Development

Function	al Comp	onents:					A. S	Self	Cond	cept				E	3. Se	elf Co	ontro	ol				C.	Appl	roac	hes	to L	earni	ing	
Performa	nce Indi	cators:					1			2			1			2			3			1			2			3	
Child Code	DOB	Town	Began	Ended	EEE ?	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р
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Vermont Department of Education – Vermont Department for Children and Families, Agency of Human Services
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School District/Supervisory Uni	ion:		
Program Name and location: _		 	

Domain:

P 4

Personal and Social Development

Domain.													1 6						evei	opm	eni								
Function	al Comp	onents:					A. S	Self (	Cond	cept				E	3. Se	of Co	ontro	ol				C.	App	roac	hes	to L	earn	ing	
Performa	ance Ind	icators:					1			2			1			2			3			1			2			3	
Child Code	DOB	Town	Began	Ended	EEE ?	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р	F	S	Р
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